

IN THE MATTER OF * BEFORE THE
611 Weir Lane and * COUNTY BOARD OF APPEALS
613 Weir Lane *
15th Election District * OF
5th Councilmanic District * BALTIMORE COUNTY
Michael H. Weir, Sr., et ux, *
Michael H. Weir, Jr., et ux, *
Appellants * Case Nos. 91-349-SPH
and 91-350-SPH

STIPULATION AS TO FACTS AND ORDER

These cases having come before the Board of Appeals on the 4th day of February, 1992, from an order dated June 5, 1991 by J. Robert Haines, Zoning Commissioner for Baltimore County, denying approval of a nonconforming residential and commercial use of the properties known as 611 Weir Lane and 613 Weir Lane, Baltimore County, Maryland. The above cases are companion cases and were heard simultaneously.

The Appellants appeared before the Board represented by their attorney, Mary E. Gephardt. Also appearing and testifying on behalf of the Appellants were Harland Southwick, Michael H. Weir, Jr., Mark Weir, Alexander B. Page, Jr. and William Bafitis, a Professional Engineer.

Appearing and testifying as Protestants, were Carl D. Snell and Terry Snell. Joy E. Snell appeared as a Protestant.

Testimony indicated that the subject properties, known as 611 Weir Lane consist of 1.3220 acres, more or less, and 613 Weir Lane consists of .55 acres, more or less, both are zoned D.R. 5.5 and improved by a single family dwellings, all as shown on Appellant's Exhibits 1 and 2. The areas for

which Appellants are requesting nonconforming residential and commercial use status for the operation of a masonry contracting business is designated on Appellant's Exhibit No. 1, consisting of an area 10' x 200', at the end of a stone drive, adjacent to the land owned by Carl D. Snell and on Exhibit No. 2, consisting of an area 10' x 80', to the rear of the dwelling located at 613 Weir Lane, adjacent to the property owned by Susan Adams. Said properties are located within the Chesapeake Bay Critical Area.

Testimony presented by Harland Southwick, Alexander B. Page, Jr., Michael H. Weir, Sr., Michael H. Weir, Jr., and Mark Weir established the subject properties have enjoyed a nonconforming use prior to the effective date of the zoning regulations, namely, January 2, 1945. Further, Appellant's Exhibit 8A and 8B, setting forth findings and recommendations of the Department of Environmental Protection and Resource Management were introduced.

In consideration of the mutual promises and covenants, the Appellants and Protestants, his, her or their successors and assigns, agree as follows:

a. The Protestants will withdraw their opposition to Appellant's request for approval of a nonconforming residential and commercial use for the operation of the masonry contracting business for those areas designated as a 10' by 200' strip located in the front of 611 and 613 Weir Lane and a 10' x 80' strip to the rear of 613 Weir Lane and

running along the property line of 613 Weir Lane, adjacent to the property owned by Susan Adams, both located in Baltimore County, Maryland, and labeled as "Exception Area" on Appellant's Exhibit Nos. 1 and 2.

b. The Appellant and Protestants agree the dividing line between the properties owned by the Appellant, Michael H. Weir, Sr. and wife, known as 611 Weir Lane, Baltimore County, Maryland and the Protestant, Carl D. Snell, known as 1709 Cape May Road, shall be that line as established by Scott Dallas, Registered Land Surveyor, as staked on February 4, 1992.

c. That the Findings and Recommendations made by J. James Dieter, Director of the Department of Environmental Protection and Resource Management dated April 30, 1991 shall be incorporated into this Stipulation As to Facts and Order and shall be binding on the property.

d. The Appellants, within six months from February 4, 1992, shall erect a privacy fence to screen the areas to be used for the storage of equipment, materials and supplies and to prevent disturbance of the existing trees, all as recommended by the Department of Environmental Protection and Resource Management, Exhibit Nos. 8A and 8B, and designated as the "Exception Area" on Appellant's Exhibit Nos. 1 and 2.

e. The Appellants, within sixty (60) days from February 4, 1992, shall cause the area designated as the "Exception Area" on Appellant's Exhibit No. 1, be cleaned and all debris

which is not equipment, material and supplies used in the operation of Appellant's masonry contracting business, removed.

f. There shall be no additional intensification of the nonconforming use area other than what is presently in existence and established by witnesses testifying at the hearing.

No other parties having appeared before the Board of Appeals raising objections to the proposed stipulation and agreement,

IT IS THEREFORE THIS 4th DAY OF April, 1992, By the County Board of Appeals of Baltimore County;

ORDERED, the area consisting of a 10' x 200' strip located in the front of 611 and 613 Weir Lane and a 10' x 80' strip to the rear of 613 Weir Lane, adjacent to the property owned by Susan Adams, both located in Baltimore County, Maryland, and labeled as "Exception Area" on Appellant's Exhibit Nos. 1 and 2, are hereby granted nonconforming use status pursuant to Section 104 - Nonconforming Uses, Baltimore County Zoning Regulations; and it is further

ORDERED, there shall be no additional intensification of the nonconforming use areas other than what is presently in existence on said properties and established by witnesses testifying at the hearing; and it is further

ORDERED, that the provisions contained in the foregoing

Stipulation are incorporated into this Order and made a part hereof.

Michael B. Sawyer
Acting Chairman

S. Diane Leyerer

John G. Disney

Approved as to content:

Michael H. Weir, Sr., Appellant

Clara Weir, Appellant

Michael H. Weir, Jr., Appellant

Barbara Weir, Appellant

Mary E. Gephardt

Attorney for Appellants

Carl D. Snell, Protestant

Joy Snell, Protestant

Terry Snell, Protestant

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
WEIR Lane 562' SW of * ZONING COMMISSIONER
Cape May Road *
613 Weir Lane * OF BALTIMORE COUNTY
15th Election District *
5th Councilmanic District * CASE # 91-350-SPH
Michael H. Weir, Jr., et ux *
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request, pursuant to the Petition for Special Hearing, approval of a nonconforming residential and commercial use of the property known as 613 Weir Lane, as more particularly described on Petitioner's Exhibit A. This case is the companion case to 91-349-SPH.

The Petitioners appeared, testified and were represented by Mary E. Gephardt, Esquire. Also appearing on behalf of the Petitioners were Aliceann Phelps, Michele Weir, Mark Weir, Clara Weir and Michael H. Weir, Sr. Appearing and testifying on behalf of the Petitioners were William Bafitis, a Professional Engineer, and Alexander Page. Appearing and testifying as Protestants, and represented by William M. Hesson, Jr., Esquire, were Carl D. Snell, Sr., Carl D. Snell, Jr., John G. Sweet III and Terry Snell. Appearing as Protestants were Joy E. Snell and Anita Luber.

Testimony indicated that the subject property known as 613 Weir Lane consists of .55 acres +/-, zoned D.R.5.5, is currently improved with a single family dwelling and three accessory sheds, as indicated on Petitioner's Exhibit A. Said property is also located within the Chesapeake Bay Critical Area.

Michael Weir, Sr., testified that he has been a masonry contractor

since approximately 1948 and acquired the subject property in 1952. He testified that he has since subdivided the property and has sold the subject parcel to his son and daughter in-law, the Petitioners herein. He testified that he currently operates his business with the assistance of his son and that they store equipment and supplies on both of their properties known as 611 and 613 Weir Lane. Testimony indicated that Mr. Weir, Sr., is a Maryland Delegate and his son, Michael is a Baltimore County Fireman. The Petitioner testified that they operate the masonry business in their spare time when not working their full time jobs.

Testimony indicated that the Weirs store a substantial amount of equipment and supplies, pursuant to the subject masonry business, on their respective residential property, as indicated by the pictorial evidence. Mr. Weir indicated that if the requested relief is granted, he would agree to screen that portion of his property where the equipment and supplies are stored and that, in his opinion, the granting of the requested relief would create no detriment to the surrounding homeowners.

Mr. Alexander Page indicated that he resides at 844 Carmel Grove Road and testified that he had worked with Mr. Weir's masonry business during the years 1948-1949. He testified that it is his recollection that Mr. Weir has always stored masonry equipment and supplies on the subject property.

Mr. William Bafitis, Professional Engineer, generally described the layout of the subject property and stated that, in his opinion, the granting of the subject relief would create no detriment to the surrounding community.

Mr. Terry Snell testified that during the years 1960 through 1973, he lived on his father's property, Carl D. Snell, which is adjacent to the subject properties, as indicated on Petitioner's Exhibit A. Mr. Snell testified that he is purchasing that portion of his father's property that is

immediately adjacent to the construction equipment and supplies on the Weir property. Mr. Snell indicated that, in his opinion, said equipment and supplies would be an eyesore once he builds his home and testified that he opposes the granting of the requested relief.

Mr. Carl Snell testified that he has lived in this community since 1949 and, that he has personal knowledge that no masonry equipment or supplies were stored on the subject property prior to 1952. Mr. Snell indicated that he concurred with his son in that the storage of the subject equipment and supplies are an eyesore in this residential community.

Mr. John G. Sweet, III, essentially concurred with the testimony of Terry and Carl Snell and indicated that he was concerned that the granting of the requested relief would lead to a detrimental impact on the market values of the residential properties in this community.

As with all nonconforming use cases, the first task is to determine what lawful nonconforming use existed on the subject property prior to January 2, 1945, the effective date of the adoption of the Zoning Regulations and the controlling date for the beginning of zoning.

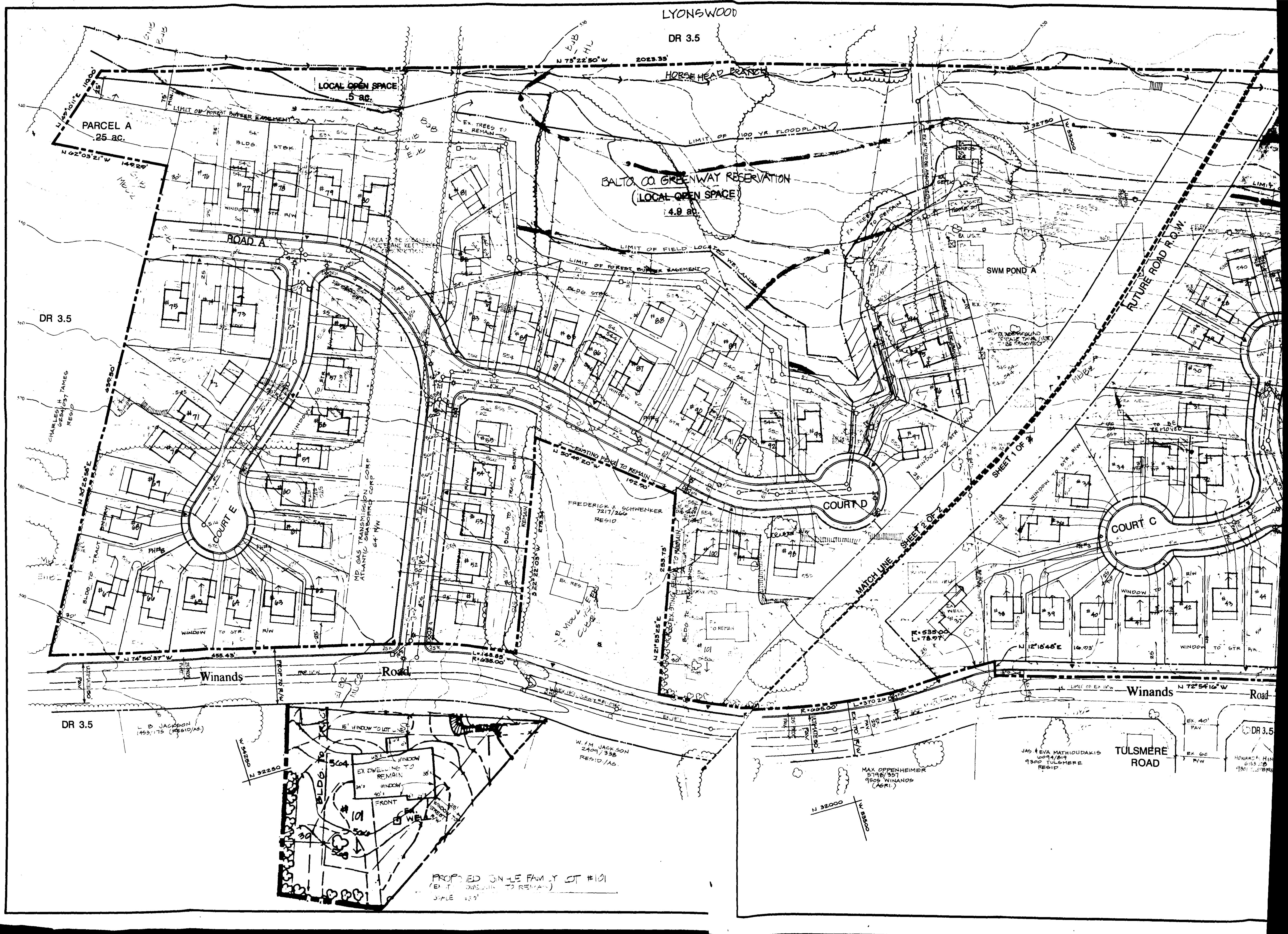
Clearly, the Petitioner did not establish the subject nonconforming use prior to the effective date, namely, January 2, 1945. Mr. Weir, Sr. testified that he did not even own the property until 1952 and Protestants' testimony confirmed that the subject masonry equipment and supplies did not appear on the property until sometime in 1952.

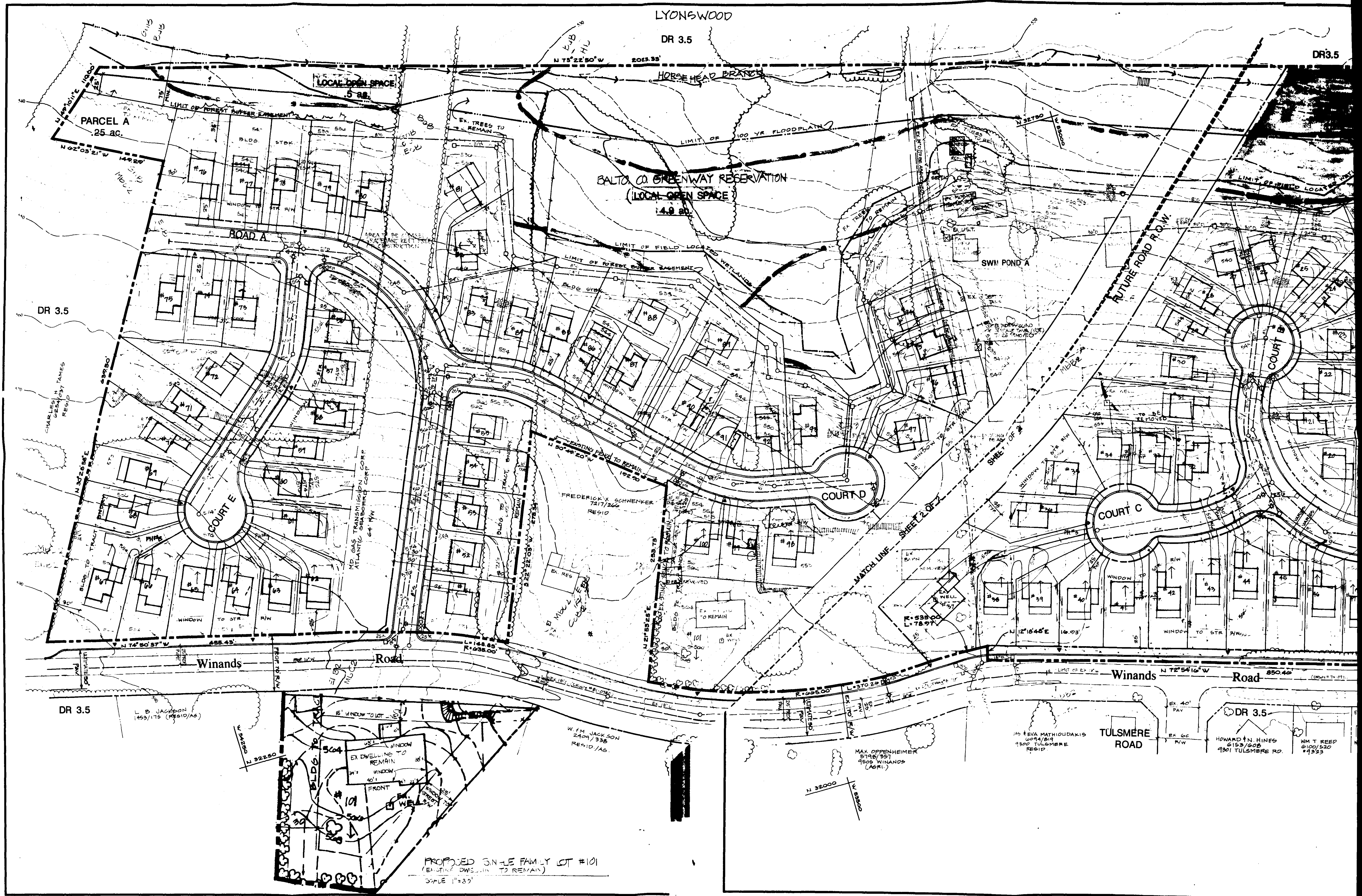
The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property. A determination must be made as to whether or not the change is a different use, and therefore, breaks the continued nature of the nonconforming use. If the change in use is found to be different than the original use, the

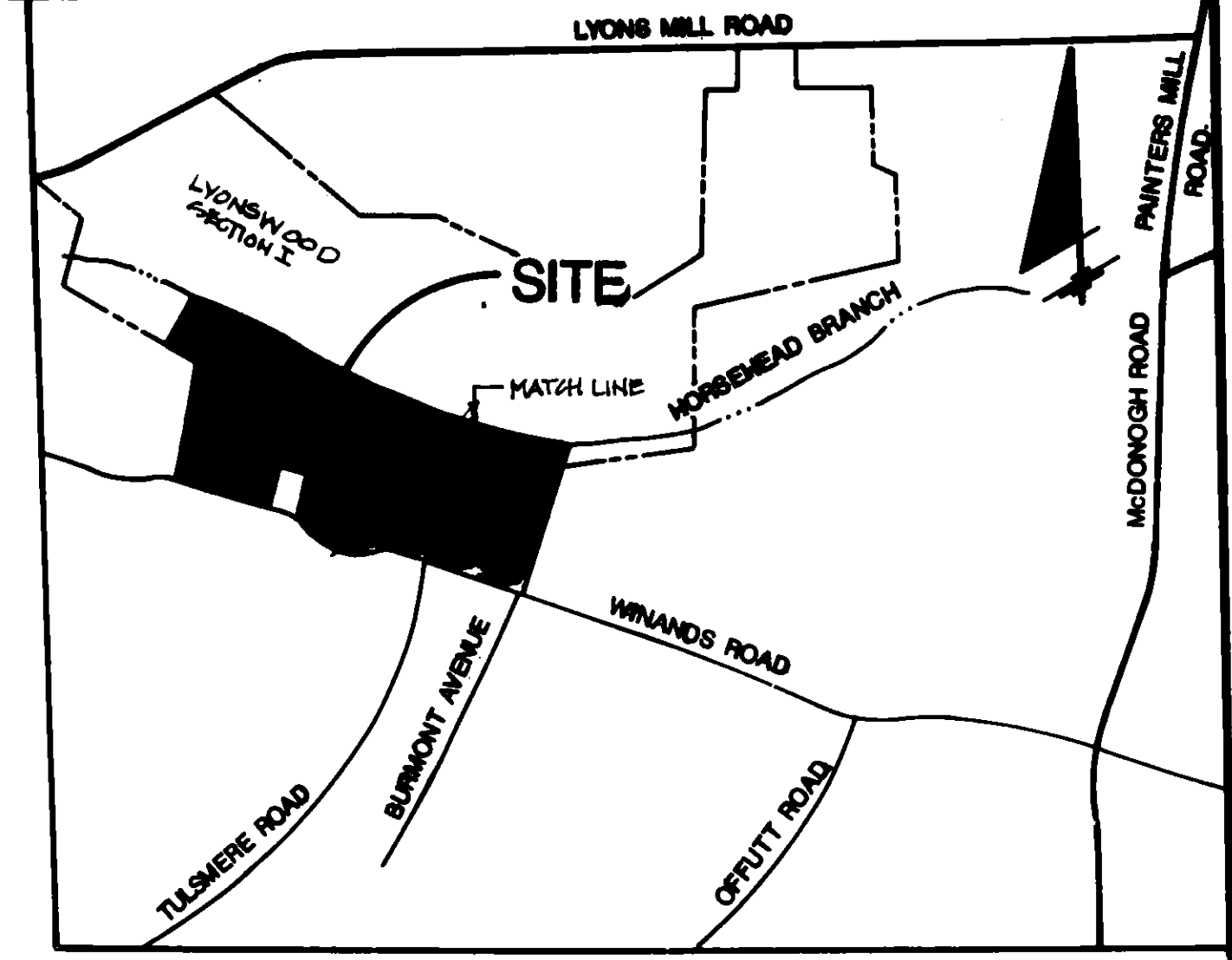
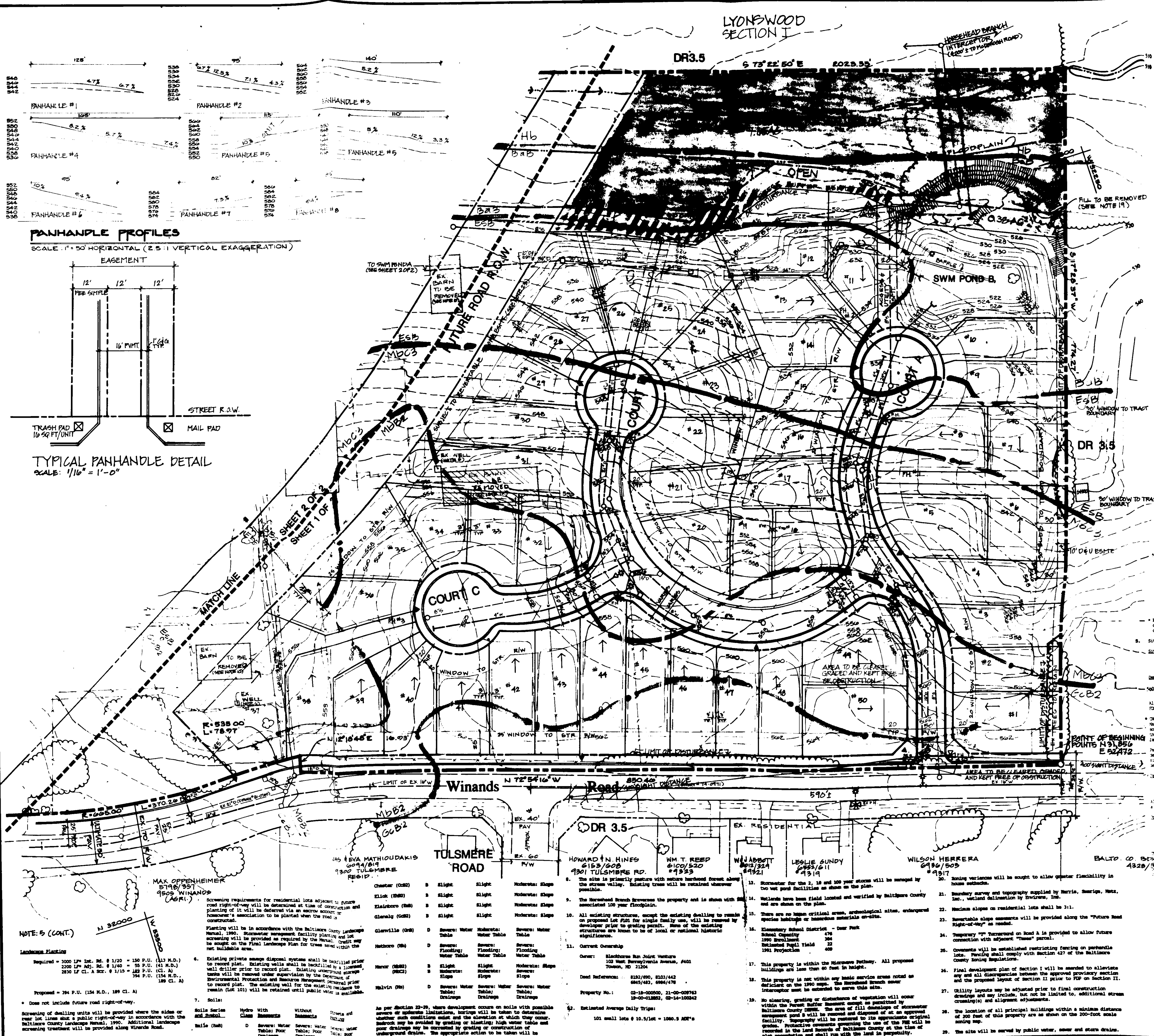
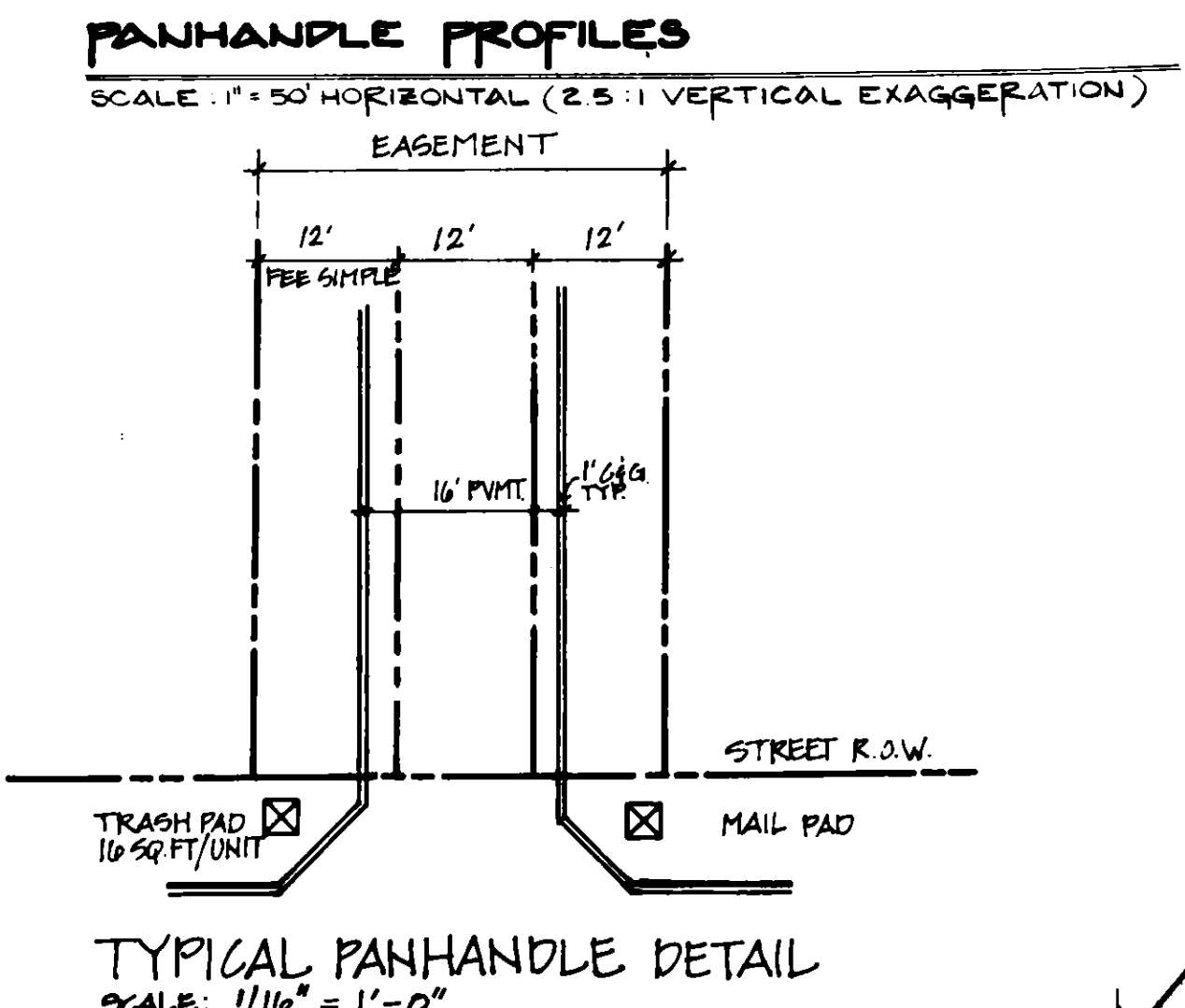
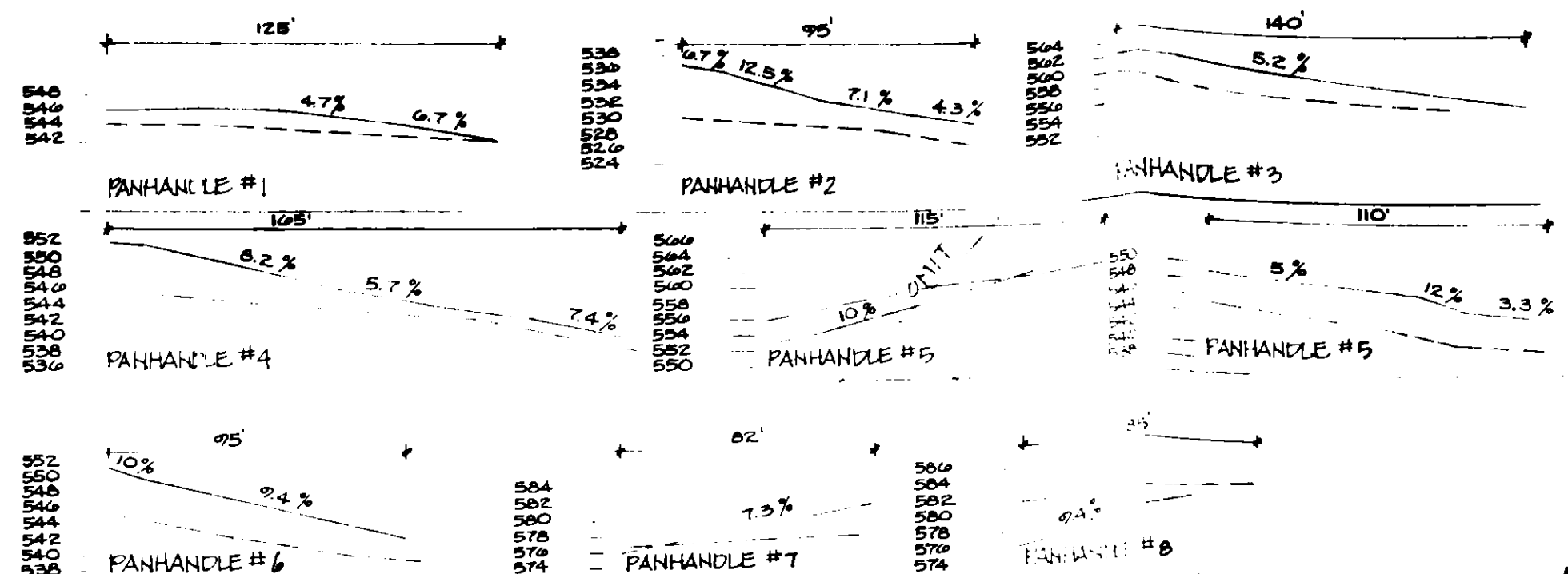
ORDER RECEIVED FOR FILING
Date 4/1/92
By M. B. Sawyer

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Date 4/1/92
By M. B. Sawyer

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Date 4/1/92
By M. B. Sawyer







- LEGEND**
- EXISTING PROP. LINE
 - EXISTING CONTOURS
 - PROPOSED CONTOURS
 - EX. TREES
 - EX. TREES TO REMAIN
 - 25% SLOPES
 - SOIL LINES
 - PROP. WATER LINE
 - PROP. SANITARY SEWER
 - PROP. STORM DRAINS
 - PROP. FIRE HYDRANTS
 - PROP. STREET LIGHTS
 - BLDG. SETBACK LINES
 - LOT LINES
 - STREAM
 - FLOODPLAIN
 - WETLANDS
 - FOREST BUFFER ESMT.
 - LOCAL OPEN SPACE
 - EX. BLDG. TO BE REMOVED
- General Notes**
- Owner/Applicant: Blackstone Run Joint Venture, 102 West Perryville Avenue, #401, Towson, MD 21204, Phone: 825-4442
 - Election District 2, Councilmember District 3, Census Tract 4025-01
 - Metropolitan 27, Subwatershed 65
 - Lyonswood Acreage Summary (Section I and Section II):
Net Acreage: 153.14 Ac.
Gross Acreage: 154.17 Ac.
Net Acreage Section I: 118.85 Ac.
Gross Acreage Section I: 119.88 Ac.
Net Acreage Section II: 34.29 Ac.
Gross Acreage Section II: 35.32 Ac.
Winands Road 15' x 60' = 78 Ac.
Winands Road 30' x 1,075' = 74 Ac.
Net Acreage: 153.14 Ac.
TOTAL (Gross Acreage): 154.17 Ac.
 - Density Calculations (Section I and Section II):
DR 14 x 5.5 Ac. = 88.0 Dwelling Units
DR 3.5 x 46.78 Ac. = 250.0 Dwelling Units
DR 3.5 x 102.29 Ac. = 358.0 Dwelling Units
TOTAL: 696 Dwelling Units
Proposed Density Section I: 147.5 F. Houses on DR 14 = 21 Dwelling Units
216.5 F. Houses on Remainder Section I = 216 Dwelling Units
Proposed Density Section II: 101.5 F. Houses = 101 Dwelling Units
Remaining Available Density from Section I: 67 Dwelling Units
Remaining Available Density from Section II: 14 Dwelling Units
 - Restrictive covenants associated with the community limited development of southern parcel (Section II) to 115 single-family dwellings.
 - Site Data: Section II only
Site Address and Zoning:
Net = 34.29 Ac.; DR 3.5
Gross = 35.32 Ac.; DR 3.5 (incl. credit for Winands Rd. R/W)
Proposed = 202 sp.
Details:
* Resulted = 115 D.U.
Proposed = 101 Single Family Dwellings
All lots will be for sale. Building envelopes will be shown on site plan.
* 36 of Blackstone Run, approved May 29, 1989, second amended, with 5, 1990, allocated 60 D.U. and 30 D.U. to development of southern parcel. Subsequent restrictive covenants associated with the community limited development of southern parcel to 115 single-family dwellings.
Parcel A to be conveyed for use at a later date either for future development associated with adjoining tract, consistent with the single-family development on Section II, or local open space, consistent with the community limited development of southern parcel.
* 36 of Blackstone Run, approved May 29, 1989, second amended, with 5, 1990, allocated 60 D.U. and 30 D.U. to development of southern parcel. Subsequent restrictive covenants associated with the community limited development of southern parcel to 115 single-family dwellings.
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DAFT - McCUNE - WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS & SURVEYORS
300 E. PENNSYLVANIA AVE
TOWSON, MD 21204
TELEPHONE (410) 298-3333

PLAN AND PLAT TO A COMPANY ZONING VARIANCES
LYONSWOOD SECTION II
INCLUDED 2.64 AC. SHAW PROPERTY REPAIRED IN 4/8/85 AND 5/3/86

DATE 1-4-91
REVISIONS

SCALE: 1" = 50'
JOB ORDER NO. 89143 A
ISSUE DATE JAN. 9, 1991

1 of 2

#295
PRINTED
JAN 14 1991
DAFT - McCUNE - WALKER, INC.
91-330-A

current use of the property shall not be considered nonconforming. See McKenry v. Baltimore County, Md., 39 Md.App.257, 385 A2d. 96 (1978).

When the claimed nonconforming use has changed, or expanded, then the Zoning Commissioner must determine whether or not the current use represents a permissible intensification of the original use or an actual change from the prior legal use. In order to decide whether or not the current activity is within the scope of the nonconforming use, the Zoning Commissioner should consider the following factors:

"(a) To what extent does the current use of these lots reflect the nature and purpose of the original nonconforming use;

(b) Is the current use merely a different manner of utilizing the original nonconforming use or does it constitute a use different in character, nature, and kind;

(c) Does the current use have a substantially different effect upon the neighborhood;

(d) Is the current use a "drastic enlargement or extension" of the original nonconforming use."

Clearly, based on the above, the Petitioners did not establish the subject nonconforming use prior to the effective date of the zoning regulations, namely, January 2, 1945. Therefore, the requested relief must be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petition for Special Hearing should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 7th day of June, 1991 that the Petition for Special Hearing for approval of a nonconforming residential and commercial use of the property

known as 613 Weir Lane, in accordance with Petitioner's Exhibit A, is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioner shall remove all equipment and material from the property related to the subject masonry business on or before December 15, 1992.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner for
Baltimore County

JRH:mmm
cc: Peoples Counsel

ORDER RECEIVED FOR FILING
Date 6/11/91
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

June 3, 1991

Mary E. Gephardt
Attorney at Law
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Petition for Special Hearing
Michael Howard Weir, Jr., et ux, Petitioners
Case #91-350-SPH

Dear Ms. Gephardt:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been denied in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:mmm
att.
cc: Peoples Counsel
cc: Mr. and Mrs. Michael Howard Weir, Jr.

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Act and Regulations of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland 21204 as follows:
Case Number: 91-350-SPH
613 Weir Lane, 662' SW of Cape May Road
15th Election District -- 6th Councilman
Petitioner(s): Michael Howard Weir, Jr., et ux
HEARING: FRIDAY, MAY 4, 1991
AT 10:00 A.M.
Special Hearing: Nonconforming residential and commercial use of the property known as 613 Weir Lane.
J. Robert Haines
Zoning Commissioner of Baltimore County

\$1.75

The Times

Middle River, Md., April 5, 1991

This is to Certify, That the annexed Case 91-350-SPH, BO #0111290

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 5th day of April, 1991.

For Publisher:

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

91-350-SPH

District: 15th Date of Posting: 4/3/91
Posted for: Special Hearing
Petitioner: Michael H. Weir, Jr., et ux
Location of property: 613 Weir Lane, 662' SW of Cape May Rd.
Location of Signs: Facing Weir Lane, 35' E. of Weir Lane, on property of Baltimore County
Remarks: [Signature]
Posted by: [Signature] Date of return: 4/12/91
Number of Signs: 1

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

91-350-SPH

District: 15th Date of Posting: 8/19/91
Posted for: Appeal
Petitioner: Michael H. Weir, Jr., et ux
Location of property: 613 Weir Lane, 662' SW of Cape May Rd.
Location of Signs: Facing Weir Lane, 35' E. of Weir Lane, on property of Baltimore County
Remarks: [Signature]
Posted by: [Signature] Date of return: 8/24/91
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4-5, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4-4, 1991.

THE JEFFERSONIAN,

S. Zeke Orlean
Publisher

\$ 35.18

PETITION FOR SPECIAL HEARING 336
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-350-SPH

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a nonconforming residential and commercial use on the property known as 613 Weir Lane.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.: (301) 687-2299

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

613 Weir Lane (301) 391-6566 4-13-91

Baltimore, Maryland 21221

City and State

Mary E. Gephardt

809 Eastern Boulevard, Balto., MD

Address 687-2299 Phone No. 21221

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of March, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 3rd day of May, 1991, at 10:00 o'clock A.M.

FILED 3/6/91 BY JEL.
ANY TIME OR DAY
5:00 PM TIME
TO BE HEARD CONSECUTIVELY
WITH ITEM #335
PER ATTORNEY'S REGIST (over)

J. Robert Haines
Zoning Commissioner of Baltimore County.

C.R.T. AREA
VIOLATION

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

91-350-SPH

Please Make Checks Payable To: Baltimore County 012-48PM07-02-91 \$150.00

Cashier Validation

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

91-350

Date 5/3/91

Public Hearing Fees

Posting signs and Advertising

UTM

\$75.93

Please Make Checks Payable To: Baltimore County 012-48PM05-03-91 \$75.93

Cashier Validation



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 4/29/91

Michael Howard Weir, Jr., et ux
613 Weir Avenue
Baltimore, Maryland 21221

RE:

Case Number: 91-350-SPH
#613 Weir Lane, 562' SW of Cape May Road
613 Weir Lane
15th Election District - 5th Councilmanic
Petitioner(s): Michael Howard Weir, Jr., et ux
HEARING: FRIDAY, MAY 3, 1991 at 10:30 a.m.

Dear Petitioner(s):

Please be advised that \$ 75.43 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Mary E. Gephardt, Esq.



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

March 18, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-350-SPH
#613 Weir Lane, 562' SW of Cape May Road
613 Weir Lane
15th Election District - 5th Councilmanic
Petitioner(s): Michael Howard Weir, Jr., et ux
HEARING: FRIDAY, MAY 3, 1991 at 10:30 a.m.

Special Hearing: Nonconforming residential and commercial use of the property known as 613 Weir Lane

J. Robert Haines
ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Michael Howard Weir, Jr., et ux
Mary E. Gephardt, Esq.



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

April 18, 1991

Mary E. Gephardt, Esquire
809 Eastern Blvd
Baltimore, MD 21221

RE: Item No. 336, Case No. 91-350-SPH
Petitioner: Michael H. Weir, et ux
Petition for Special Hearing

Dear Ms. Gephardt:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. Michael H. Weir
613 Weir Lane
Baltimore, MD 21221



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 20th day of March, 1991.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Michael H. Weir, et ux

Petitioner's Attorney: Mary E. Gephardt

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: April 12, 1991
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Michael H. Weir, Item 335
Michael Howard Weir, Jr., Item 336

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEM335.336/ZAC1

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: April 3, 1991

TO: Mr. J. Robert Haines
Zoning Commissioner

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: March 19, 1991

Dear Mr. Haines:

This bureau has no comments for items number 327, 334, 335, 336, 339, 342, 343 and 345.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/lvd



700 East Joppa Road Suite 901
Towson, MD 21204-5500

MARCH 26, 1991

(301) 887-4500

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: MICHAEL HOWARD WEIR

Location: #613 WEIR AVENUE

Item No.: 336 Zoning Agenda: MARCH 19, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Capt. James R. Kelly
Planning Group
Special Inspection Division

Noted and
Approved

Capt. W. F. Brady
Fire Prevention Bureau

JK/KEK

received
3/27/91

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 14, 1991

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for March 19, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 327, 334, 335, 336, 339, 343 and 345.

For Item 337, a County Review Group Meeting may be required for these additions.

For Item 342, a County Review Group Meeting is required for this site.

For Item 343, the previous minor subdivision comments supplied for this site will apply.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

